

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/409,894 10/01/99 TAIMA

K P7355-9023

NIKAIKO MARMELSTEIN MURRAY & DRAM  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET N W  
SUITE 330-G STREET LOBBY  
WASHINGTON DC 20005-5701

WM02/0718

EXAMINER

HAVAN, T

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

07/18/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/409,894	TAIMA ET AL.
	Examiner	Art Unit
	Thu-Thao Havan	2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 October 1999.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1-4 is/are allowed.

6) Claim(s) 5-16 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 01 October 1999 is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities: Please clarify the information on pages 49 to 55. If these pages are a part of the figures then please incorporate them into the figures.

Appropriate correction is required.

### ***Drawings***

The informal drawings are not of sufficient quality to permit examination. Accordingly, new drawings are required in reply to this Office action.

Applicant is given a TWO MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit new drawings will result in **ABANDONMENT** of the application.

Examiner cannot understand the drawings because they are not in English.

The drawings in this application are objected to by the Draftsperson as informal. Any drawing corrections requested, but not made in the prior application should be repeated in this application if such changes are still desired. If the drawings were changed and approved during the prosecution of the prior application, a petition may be filed under 37 CFR 1.182 requesting the transfer of such drawings, provided the parent application has been abandoned. However, a copy of the drawings as originally filed must be included in the 37 CFR 1.60 application papers to indicate the original content.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US patent no. 6,181,342) in view of Fraser (US patent no. 5,729,252).

1. As to claims 5, 12, 14, and 15, the prior art Niblack had:

A.) The material listing means for listing the image information in the material storage means on display means and the image specification means for enabling specification of more than one piece of the image information listed on the display means (**col. 3, lines 21-32; col. 4, lines 12-48**). Niblack teaches a set of directory listing which list and display the image information than stored them into the storage medium.

B.) The presentation preparation means for reading all images specified with the image specification means in batch into templates having related pages of a template as one page into which images are inserted for preparing an image information presentation document (**col. 7, lines 30-50; col. 1-2**). Niblack teaches the templates by having the video frames of presentation images and thumbnail of every frame. He also discloses the presentation slides having an image of the first page of the document and the document incorporates the images in them.

However, Niblack fails to explicitly teach a still image and a moving image. Nevertheless, Niblack teaches the visual data includes scanned photographic images and video images for presentation system. The photographic images are still images because the photographic images are not moveable thus make them still images. As for the moving image, video images are moving images. Therefore, he teaches an image information presentation system comprising the material storage means for storing image information of a still image and a moving image.

Furthermore, both Niblack and Fraser teach the image information presentation system. Niblack focuses on the document content and Fraser focuses on the multimedia editing system. Fraser specifically discloses on image information presentation system including a still image and a moving image. In his system, the video camera is directed to capture moving images of an individual making a presentation and a projection screen that is employed to display a set of visual aids (which are still images) throughout the presentation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a still image and a moving image because Fraser teaches the image information presentation system including a still image and a moving image (**col. 1, lines 20-55; col. 2, lines 8-43; fig. 1B**).

2. As to claim 6, Niblack discloses the presentation preparation means read the specified images with the image specification means in order starting at the specified page of the template (**col. 7, lines 30-50; col. 5, lines 39-67; col. 4, lines 37-48**).

3. As to claims 7-9, 13, and 16, Niblack discloses the folder of a set of the image information placed in a hierarchical structure (**col. 4, lines 1-11; col. 3, lines 34-44; col. 6, lines 1-7**).

4. As to claim 10, Niblack discloses the editing means for performing editing (**col. 7, lines 51-67; col. 9, lines 6-19**). Niblack teaches the editing of the date of the last edited images.

5. As to claim 11, Niblack discloses the name read means for automatically reading titles of the pages of the templates (**col. 10, lines 8-21; col. 9, lines 54-67**). The information bars are able to automatically read the title of the pages.

### ***Allowable Subject Matter***

Claims 1-4 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Examiner searching for the steps of (1) a still image reduction section, if the determination section determines that the image information is a still image, for performing processing for producing reduced display of the image and (2) a moving image reduction section, if the determination section determines that the image information is a moving image, for performing processing for producing reduced display of the image and driving the moving image in this state, in combination with the other elements of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abe et al., US Patent No. 6,144,972

Gotoh et al., US Patent No. 6,078,726

Maass, US Patent No. 5,865,519

Treibitz et al., US Patent No. 6,091,408

Winter et al., US Patent No. 5,875,305

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-5359 for regular communications and (703)308-5359 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9500.

Application/Control Number: 09/409,894  
Art Unit: 2672

Page 7

Thu-Thao Havan

July 13, 2001



**MATTHEW LUU  
PRIMARY EXAMINER**